

# **TOWN OF DAVIE**

## **TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101

**PREPARED BY:** Christopher M. Gratz, Planner II

**SUBJECT:** Plat, P 6-1-04 Toral Professional Building, 4820 SW 64 Avenue (Davie Road)/Generally located on the east side of Davie Road, 0.24 miles south of Griffin Road

**AFFECTED DISTRICT:** District 1

**TITLE OF AGENDA ITEM:** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "TORAL PROFESSIONAL BUILDING" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

**REPORT IN BRIEF:** The applicant requests approval of the plat known as the "Toral Professional Building". The subject site consists of 1.32 acres (57,661.62 square feet), and the plat is restricted to 12,000 square feet of office use. Access is provided by one (1) opening; an 80' opening with the centerline approximately 40' south of the north plat limits that must align with the existing centerline of SW 48 Street. Non-vehicular access lines (NVAL) are provided on the remainder of the western limits adjacent to Davie Road. A total of 1,012.88 square feet (0.023 acres) of the property has been dedicated towards the right-of-way for Davie Road.

There is a 10' utility easement around the entire boundary of the plat, and a 15' drainage easement along the eastern boundary. The subject property lies within Central Broward Water Control District, and approval from this agency has been obtained. Broward County requires that the owner enter into a standard Roadway Improvement Phasing Agreement to mitigate the peak hour traffic impact of the plat. A tri-party agreement for off-site improvements to satisfy traffic concurrency is required and has been submitted concurrently for Town Council's consideration. This agreement provides for the installation of video detectors at the intersection of Stirling Road and SW 61 Avenue.

This proposed plat for office use can be considered compatible with both existing and allowable uses on the adjacent properties. To the north is a vacant land and a single family dwelling, to the south is a vacant unplatted parcel and then the access drive for an office complex, to the west is Davie Road and then multi-family dwellings, and to the east is a multi-family development and a vacant parcel that is going to be used as the retention area for the Downtown Davie project.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** At the February 9, 2005, Planning and Zoning Board meeting, Ms. Lee made a motion, seconded by Mr. McLaughlin, to approve. (Motion carried 5-0)

**FISCAL IMPACT:** N/A

**RECOMMENDATION(S):** Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration. In addition, the following conditions shall be met:

1. Sufficient capacity of the regional road network, as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
2. Any improvements required to satisfy Traffic Concurrency should be located within the Town of Davie.
3. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

**Attachment(s):** Resolution, Planning Report, Future Land Use Plan Map, Zoning and Aerial Map, Plat

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "TORAL PROFESSIONAL BUILDING" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat to be known as the "Toral Professional Building" was considered by the Town of Davie Planning and Zoning Board;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The plat known as the "Toral Professional Building" is hereby approved subject to the conditions stated on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign said plat on behalf of the Town and the Town Clerk is directed to affix the Town seal to said plat.

SECTION 3. Any improvements required to satisfy Traffic Concurrency should be located within the Town of Davie.

SECTION 4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2005.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

Attest:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2005.

**TOWN OF DAVIE**  
**Development Services Department**  
**Planning and Zoning Division**  
*Staff Report and Recommendation*

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**Applicant Information**

**Owners:**

**Name:** Clifford Lloyd  
**Address:** 4760 SW 64 Avenue  
**City:** Davie, FL 33314  
**Phone:** (954) 583-4632

**Name:** Curtis Sherrod  
**Address:** 1901 SW 118 Avenue  
**City:** Davie, FL 33325  
**Phone:** (954) 424-9414

**Petitioner:**

**Name:** Frank Toral  
**Address:** 13131 SW 19 Street  
**City:** Davie, FL 33325  
**Phone:** (954) 224-3283

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**Background Information**

**Application History:** No deferrals have been requested.

**Planning and Zoning Board Recommendation:** Approval was recommended at the February 9, 2005, meeting.

**Application Request:** Approval of the plat known as the "Toral Professional Building".

**Address/Location:** 4820 SW 64 Avenue (Davie Road)/Generally located on the east side of Davie Road, 0.24 miles south of Griffin Road

**Future Land Use Plan Map Designations:** Commercial and Regional Activity Center

**Zoning:** B-2, Community Business District

**Gross Parcel Size:** 1.32 acres (57,661.62 square feet)

**Net Parcel Size:** 1.3 acres (56,648.74 square feet)

**Existing Use:** Single family dwelling

**Proposed Use:** 12,000 square feet of office use

	<u>Surrounding Uses:</u>	<u>Surrounding Land Use Plan Map Designations:</u>
<b>North:</b>	Vacant, Single family dwelling	Regional Activity Center
<b>South:</b>	Vacant unplatted parcel Davie Professional Center	Commercial
<b>East:</b>	Jasmine Isles Phase II (under construction) Vacant (Downtown Davie's retention parcel)	Regional Activity Center Commercial
<b>West:</b>	Davie Road, Lofts of Palm Garden	Residential (10 DU/AC)
 <u>Surrounding Zoning:</u>		
<b>North:</b>	A-1, Agricultural District	
<b>South:</b>	B-2, Community Business District	
<b>East:</b>	RM-16, Medium-High Density Dwelling District B-2, Community Business District	
<b>West:</b>	RM-10, Medium Density Dwelling District	

## Zoning History

**Related Zoning:** The property was incorporated into the Town in 1964.

**Zoning:** The rezoning, ZB 5-2-04 Clifford Lloyd/Frank Toral, from A-1, Agricultural District to B-2, Community Business District, was approved on October 20, 2004.

## Application Details

The applicant's SUBMISSION indicates the following:

1. *Site:* The subject site consists of 1.32 acres (57,661.62 square feet).
2. *Restrictive Note:* The plat is restricted to 12,000 square feet of office use.
3. *Access:* Access is provided by one (1) opening; an 80' opening with the centerline approximately 40' south of the north plat limits that must align with the existing centerline of SW 48 Street. Non-vehicular access lines (NVAL) are provided on the remainder of the western limits adjacent to Davie Road.
4. *Trails:* There are no existing or proposed trails adjacent to the site.
5. *Dedications and Easements:* A total of 1,012.88 square feet (0.023 acres) of the property has been dedicated towards the right-of-way for Davie Road. There is a 10' utility easement around the entire boundary of the plat, and a 15' drainage easement along the eastern boundary.
6. *Drainage:* The subject property lies within Central Broward Water Control District, and approval from this agency has been obtained.

7. *Local Road Concurrency:* Broward County requires that the owner enter into a standard Roadway Improvement Phasing Agreement to mitigate the peak hour traffic impact of the plat. A tri-party agreement for off-site improvements to satisfy traffic concurrency is required and has been submitted concurrently for Town Council's consideration. This agreement provides for the installation of video detectors at the intersection of Stirling Road and SW 61 Avenue.
8. *Compatibility:* This proposed plat for office use can be considered compatible with both existing and allowable uses on the adjacent properties. To the north is a vacant land and a single family dwelling, to the south is a vacant unplatted parcel and then the access drive for an office complex, to the west is Davie Road and then multi-family dwellings, and to the east is a multi-family development and a vacant parcel that is going to be used as the retention area for the Downtown Davie project.

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### **Applicable Codes and Ordinances**

Article XII of the Land Development Code, Subdivisions and Site Plans.

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### **Comprehensive Plan Considerations**

**Planning Area:** The subject property falls within Planning Area 9. The subject property falls within Planning Area 9. This Planning Area is south of Griffin Road, generally north of Stirling Road, east of SW 76 Avenue and west of the Florida Turnpike. This area is predominantly agricultural in nature with scattered low-density single-family residential development. Low profile commercial development lines the Griffin Road, Davie Road, and Stirling Road corridors.

**Broward County Land Use Plan:** The subject site falls within Flexibility Zone 102.

**Applicable Goals, Objectives & Policies:** *Future Land Use Plan, Objective 5: Consistency of Development with Comprehensive Plan, Policy 5-2:* The (re)zoning, (re)planning, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Uses portion of the Implementation Section.

*Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3:* Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

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### **Significant Development Review Committee (DRC) Comments**

These following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed unless otherwise indicated.

**Planning and Zoning:** Obtain approval from the Central Broward Water Control District, provide a 15' drainage easement on the eastern boundary of the plat. *(These have been provided.)*

**Engineering:** Provide a 15' drainage easement on the eastern boundary. *(This has been provided.)*

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### **Staff Analysis**

The proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to access, location, size, and use. Development of this site as proposed does not exceed what was anticipated by the Future Land Use Plan Map designation. Broward County requires that the owner enter into a standard Roadway Improvement Phasing Agreement to mitigate the peak hour traffic impact of the plat. A tri-party agreement for off-site improvements to satisfy traffic concurrency is required and has been submitted concurrently for Town Council's consideration. This agreement provides for the installation of video detectors at the intersection of Stirling Road and SW 61 Avenue.

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### **Findings of Fact**

Staff finds that the plat is in conformance with all applicable Codes and Ordinances. The proposed office use can be considered compatible with the surrounding properties.

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### **Staff Recommendation**

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration. In addition, the following conditions shall be met:

1. Sufficient capacity of the regional road network, as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
2. Any improvements required to satisfy Traffic Concurrency should be located within the Town of Davie.
3. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

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## **Planning and Zoning Board Recommendation**

At the February 9, 2005, Planning and Zoning Board meeting, Ms. Lee made a motion, seconded by Mr. McLaughlin, to approve. (Motion carried 5-0)

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## **Town Council Action**

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### **Exhibits**

1. Future Land Use Plan Map
2. Zoning and Aerial Map
3. Plat

Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_



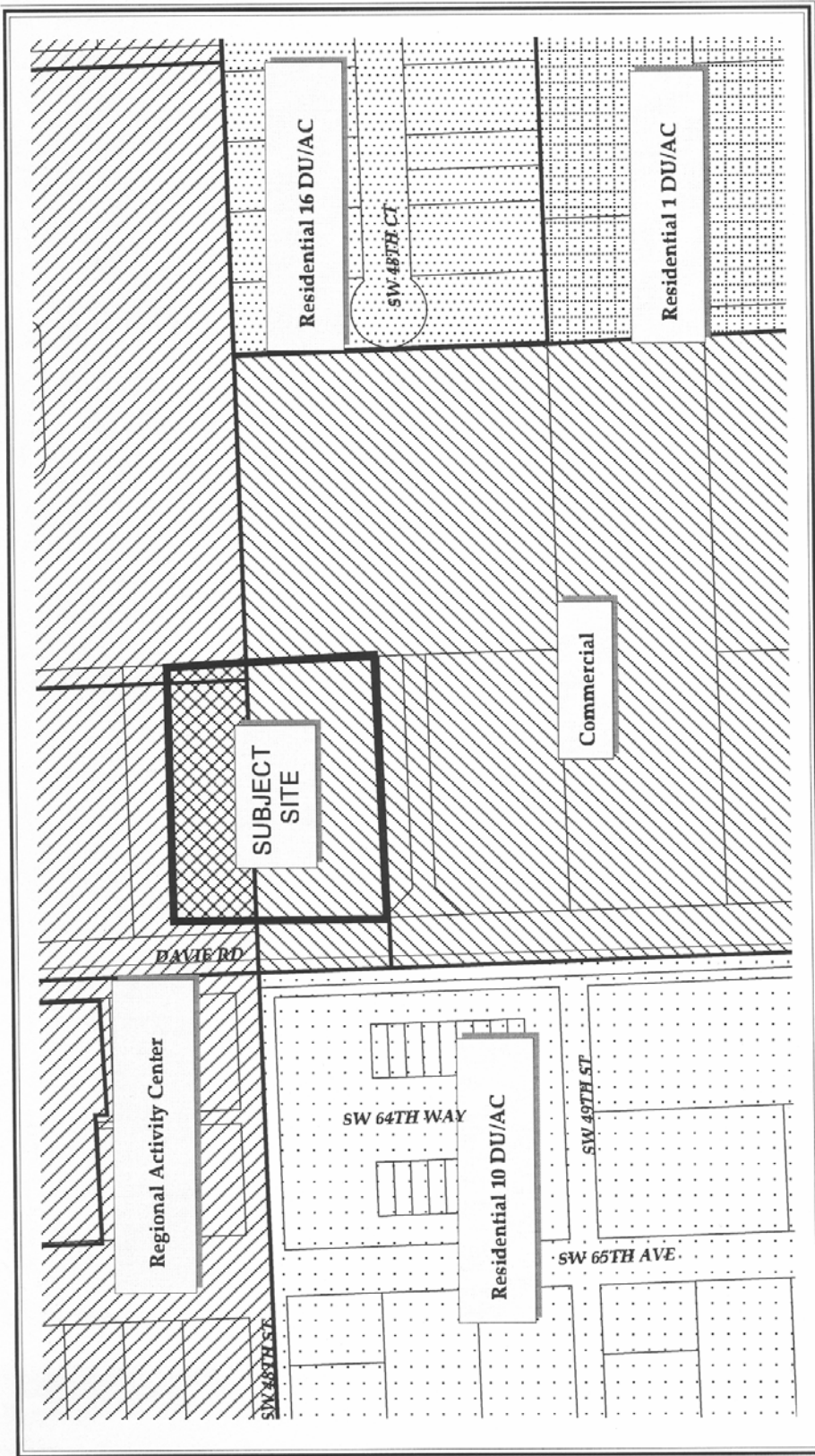
Plat  
P 6-1-04  
Aerial, Zoning, and Subject Site Map  
Prepared By: A.J.P  
Date Prepared: 2/2/05



The Town of Davie  
Development Service Department  
Planning & Zoning Division

Scale  
0 90 180 270 360 Feet

N



Plat  
P 6-1-04  
Future Land Use Map

Prepared By: A.J.P.  
Date Prepared: 2/2/05

